

Application No.: 10/695,167

Attorney Docket No.: MXIC 1518-2

**REMARKS**

**Claim Rejections Under 35 USC § 112**

Claim 3 has been amended and restated in independent form with only two layers in the multilayer contoured structure. Claim 4 has been amended to conform to claim 2, which the Examiner found unobjectionable. Applicants respectfully submit that the amendments overcome the § 112 rejections, without narrowing the claims.

**Claim Rejections Under 35 USC § 102**

The Examiner rejects the claims under § 102 as being anticipated by Al-Shareef et al. (U.S. Pat. No. 6,281,543 B1). The claims have been amended to specify certain metal layers, described throughout the specification and even in the invention title, where Al-Shareef uses hemispherical grains of HSG-Poly (col. 5, lines 30-35), nucleated around polysilicon seed crystals.

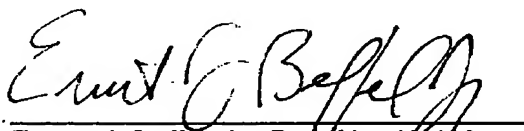
Applicants respectfully submit that the amendments overcome the § 103 rejections.

**CONCLUSION**

Applicants respectfully submit that the pending claims are now in condition for allowance and thereby solicit acceptance of the claims, in light of these amendments.

The undersigned can ordinarily be reached at his office at (650) 712-0340 from 8:30 to 5:30 PST, Monday through Friday, and can be reached at his cell phone (415) 902-6112 most other times.

Respectfully submitted,

  
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